

## **Proposal for Legislation -- 2021 Title X Statutory Appropriation**

### **Return to:**

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**PROPOSER'S NAME/TITLE:** Jamie Palagi, ECFSD Administrator  
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- 1. What is the problem or issue?**  
The statutory appropriation for federal Title X funding sunsets in June 2021.
- 2. What do you want the legislation to do?**  
Reauthorize the federal Title X statutory appropriation without a sunset date.
- 3. If possible, please list the MCA (Montana Code Annotated) sections that would need to be amended.**  
Title X statutory state special revenue account MCA 50-1-115, and MCA 17-7-502  
Statutory Appropriations
- 4. If the proposed change requires additional funding, what funding sources do you propose?**  
No additional state general funds are requested to match federal funds. This bill will allow the Title X funding to be appropriated by statute as opposed to in House Bill 2; as a result, DPHHS would be able to receive and spend the grant funds from HHS as they are granted. Title X grant funding is on a three-year grant cycle and funding amounts can vary from one grant cycle to the next.  
  
If this legislation does not pass, the Title X funding would need to be placed in House Bill 2.
- 5. Has similar legislation been requested in the past, been introduced in another state, or provided as a model act? If so, please provide a citation, reference, or point of contact.**  
This legislation passed the Montana legislature in 2015 with a sunset date of 2021.

MCA 50-1-115:

[https://leg.mt.gov/bills/mca/title\\_0500/chapter\\_0010/part\\_0010/section\\_0150/0500-0010-0010-0150.html](https://leg.mt.gov/bills/mca/title_0500/chapter_0010/part_0010/section_0150/0500-0010-0010-0150.html)

MCA 17-7-502

[https://leg.mt.gov/bills/mca/title\\_0170/chapter\\_0070/part\\_0050/section\\_0020/0170-0070-0050-0020.html](https://leg.mt.gov/bills/mca/title_0170/chapter_0070/part_0050/section_0020/0170-0070-0050-0020.html)

# Montana Code Annotated 2019

## TITLE 50. HEALTH AND SAFETY

### CHAPTER 1. ADMINISTRATION OF PUBLIC HEALTH LAWS

#### Part 1. General Provisions

## Special Revenue Account -- Statutory Appropriation

50-1-115. (Temporary) Special revenue account -- statutory appropriation. (1) There is an account in the federal special revenue fund to the credit of the department. Money received by the state pursuant to Title X of the Public Health Service Act, 42 U.S.C. 300a, et seq., must be deposited into the account.

(2) The department shall use the money from the account to:

- (a) make grants in accordance with federal law and regulations; and
- (b) pay for grant-related administrative costs.

(3) Money in the account is statutorily appropriated, as provided in 17-7-502, to the department for the purposes of subsection (2). (Terminates June 30, 2021--sec. 6, Ch. 291, L. 2015.)

History: En. Sec. 1, Ch. 291, L. 2015.

# Montana Code Annotated 2019

## TITLE 17. STATE FINANCE

### CHAPTER 7. BUDGETING AND APPROPRIATIONS

#### Part 5. Statutory Appropriations

## Statutory Appropriations -- Definition -- Requisites For Validity

17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

- (a) The law containing the statutory authority must be listed in subsection (3).
- (b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 5-13-404; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-2-807; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-3-802; 10-3-1304; 10-4-304; 15-1-121; 15-1-218; 15-31-1004; 15-31-1005; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-130; 15-70-433; 16-11-119; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-215; 18-11-112; 19-3-319; 19-3-320; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-9-905; 20-26-617; 20-26-1503; 22-1-327; 22-3-116; 22-3-117; 22-3-1004; 23-4-105; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-50-209; 37-54-113; 39-71-503; 41-5-2011; 42-2-105; 44-4-1101; 44-12-213; 44-13-102; 50-1-115; 53-1-109; 53-6-148; 53-9-113; 53-24-108; 53-24-206; 60-11-115; 61-3-321; 61-3-415; 67-1-309; 69-3-870; 69-4-527; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 75-26-308; 76-13-151; 76-13-150; 76-17-103; 76-22-109; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 80-11-1006; 81-1-112; 81-1-113; 81-7-106; 87-7-123; 81-10-103; 82-11-161; 85-2-526; 85-20-1504; 85-20-1505; [85-25-102]; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-6-331; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded liability is 10 years or less; pursuant to sec. 73, Ch. 44, L. 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 11(2), Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to sec. 27, Ch. 285, L. 2015, and sec. 1, Ch. 292, L. 2015, the inclusion of 53-9-113 terminates June 30, 2021; pursuant to sec. 6, Ch. 291, L. 2015, the inclusion of 50-1-115 terminates June 30, 2021; pursuant to sec. 5, Ch. 383, L. 2015, the inclusion of 85-25-102 is effective on occurrence of contingency; pursuant to sec. 6, Ch. 423, L. 2015, the inclusion of 22-3-116 and 22-3-117 terminates June 30, 2025; pursuant to sec. 33, Ch. 457, L. 2015, the inclusion of 20-9-905 terminates December 31, 2023; pursuant to sec. 12, Ch. 55, L. 2017, the inclusion of 37-54-113 terminates June 30, 2023; pursuant to sec. 4, Ch. 122, L. 2017, the inclusion of 10-3-1304 terminates September 30, 2025; pursuant to sec. 55, Ch. 151, L. 2017, the inclusion of 30-10-1004 terminates June 30, 2021; pursuant to sec. 1, Ch. 213, L. 2017, the inclusion of 90-6-331 terminates June 30, 2027; pursuant to secs. 5, 8, Ch. 284, L. 2017, the inclusion of 81-1-112, 81-1-113, and 81-7-106 terminates June 30, 2023; pursuant to sec. 1, Ch. 340, L. 2017, the inclusion of 22-1-327 terminates July 1, 2023; pursuant to sec. 10, Ch. 374, L. 2017, the inclusion of 76-17-103 terminates June 30, 2027; pursuant to sec. 5, Ch. 50, L. 2019, the inclusion of 37-50-209 terminates September 30, 2023; pursuant to sec. 1, Ch. 408, L. 2019, the inclusion of 17-7-215 terminates June 30, 2029; pursuant to secs. 11, 12, and 14, Ch. 343, L. 2019, the inclusion of 15-35-108 terminates June 30, 2027; pursuant to sec. 7, Ch. 465, L. 2019, the inclusion of 85-2-526 terminates July 1, 2023; and pursuant to sec. 5, Ch. 477, L. 2019, the inclusion of 10-3-802 terminates June 30, 2023.)